

Statement Regarding Relevance of Non-English References

June 22, 2005

Page 1 of 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

Hacker et al.

Application No. 10/525,558

Priority claimed from: PCT/EP2004/006886 (filed June 25, 2004) and
German application 103 28 669.1 (filed June 26, 2003)

Filed: February 24 2005

For: Plasmid-Free Clone of E. Coli Strain DSM6601



Group Art Unit: not known

Examiner: not known

* * * * *

June 22, 2005

STATEMENT REGARDING
NON-ENGLISH REFERENCES CITED IN PTO-1449 FORM

Hon. Commissioner of Patents
And Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

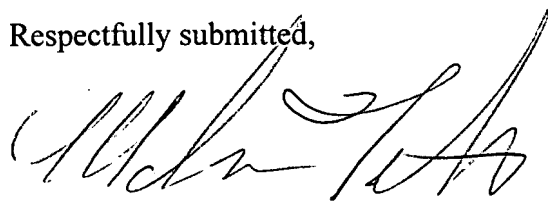
In conjunction with the Information Disclosure Statement, PTO-1449 Form, and copies of references cited therein, we note that five of the documents cited and supplied are not in English: WO 99/26642, WO 98/44134, Duval-Iflah Y et al., Kruis W. et al., and Instruction pamphlet for Mutaflor. To comply with MPEP 609, for all but the Instruction pamphlet for Mutaflor, we provide and list on the PTO-1449 Form the International Search Report in corresponding PCT international application PCT/EP2004/006886, which cites these references and indicates their relevance to the claims.

For Instruction pamphlet for Mutaflor we also provide and list on the PTO-1449
Form an English translation of the entire document.

REMARKS

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Marlana K. Titus', written in a cursive style.

Marlana K. Titus
Nash & Titus, LLC
Reg. No. 35,843

Nash & Titus, LLC
6005 Riggs Road
Laytonsville, MD 20882
(301) 977-7227